Attorney's Docket Number: 5254.200-US

MAY 1 0 2004

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Polypeptides Having Dipeptidyl Aminopeptidase Activity And Nucleic Acids Encoding Same

| the specification of which (check only one item | below): |
|---|---------|
| [] is attached hereto | |
| [X] was filed as United States application | |
| Serial No. <u>09/079,592</u> | |
| on <u>May 15, 1998</u> | |
| and was amended | |
| on | |
| [] was filed as PCT international application | |
| Number | |
| on | |
| and was amended under PCT Article 19 | _ |
| on | |
| | |

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, \$119 of any foreign applications(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign applications(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

| FRIOR FOREIGN/ | PCT APPLICATION(S) AND A | NY PRIORITY CLAIMS UNDER | 35 U.S.C. 119: | | |
|----------------------------------|--------------------------|--------------------------------------|--------------------------------------|--|--|
| COUNTRY (if PCT, indicate "PCT") | APPLICATION NUMBER | DATE OF FILING (day, month, year) | PRIORITY CLAIMED UNDER 35 USC 119 | | |
| U.S.A. | 60/062,892 | October 20, 1997 | [X] YES [] NO | | |
| | | | [] YES [] NO | | |
| | | | [·] YES [] NO | | |
| | · | | [] YES [] NO | | |
| | · | | [] YES [] NO | | |
| | <u> </u> | | [] YES [] NO | | |

COMBINED DECLARATION FOR P. LA APPLICATION AND POWER OF ATTORNAY (Includes Reference to PCT International Applications)

S254.200-US

I hereby claim the benefit under Title 35, United States Code \$120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this applications is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, \$112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, \$1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. 120:

| \perp | U.S. APPLICATIONS | | | | STATUS (Check one) | | | | |
|---|--|--|------------------|--------------|--|--------------|---|---------------------------|--|
| | U.S. APPLICATION NUMBER | | U.S. FILING DATE | 1 | Patented | Pending | Abandoned | | |
| - | 08/857,884 | | May 16, 1997 | | | х | | | |
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| <u></u> | APPLICATION | NO. | FILING | DATE | US SERIAL NUMBERS ASSIGNED (if any) | | | | |
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| - | | | | | | | | | |
| | POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. Steve T. Zelson Elias J. Lambiris Cheryl H. Agris Carol E. Rozek Valeta A. Gregg Robert L. Starnes Reg. No. 30,335 Reg. No. 33,728 Reg. No. 34,086 Reg. No. 36,993 Reg. No. 35,127 Reg. No. 41,324 | | | | | | | th. | |
| Send Correspondence to: Steve T. Zelson, Esq. Novo Nordisk of North America 405 Lexington Avenue, Suite 6 New York, New York 10174-640 | | | | e 6400 . | | St | Telephone Call eve T. Zelson 212) 867-0123 | 3 To: | |
| 1 | Full Name of Inventor | Family Hame Blinkov | vsky | | First Given Hame Alexander | | Second Given | Hame | |
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| CON | MBINED DECLA | ARATION FOR PATENT APPLICATION | IN AND DOWED OF ATTODNEY | ey's Docket Number: | | |
|--|----------------------------|---|---|--|--|--|
| (Includes Reference to PCT International Applications) 5254.200-US | | | | | | |
| 5 | Full Name of Inventor | Family Name Byun | First Given Name Tony | Second Civen Name | | |
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| 7 | Full Name of Inventor | Pamily Hame | First Given Name | Second Given Name | | |
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| | Residence & Citizenship | City | State or Poreign Country | Country of Citizenship | | |
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| 9 | Full Name of Inventor | Family Hame | First Given Name | Second Given Hame | | |
| | Residence & Citizenship | City | State or Foreign Country | Country of Citizenship | | |
| | Post Office Address | Poet Office Address | City | State & Elp Code/Country | | |
| | I hereby de | eclare that all statements made here n and belief are believed to be true; | in of my own knowledge are true and t and further that these statements we | hat all statements made on | | |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

| Elexander Rinkovsky | Eignature of Inventor? Keinhary Brown | Signature of Inventor) |
|-------------------------|---|-------------------------|
| Date. / - 722/98 | 5/26/98 | 5/27/98 |
| Olan V. Who | Signature of Inventor S Type Type | Signature of Inventor 6 |
| 5/22/98 | 5/22/98 | Date |
| Signature of Inventor ? | Signature of Inventor 8 | Signature of Inventor 9 |
| Date | ^{Date} 5 | Date |

- (2) Identify each inventor by full name, including the family name, and at least one given name without abbreviation together with any other given name or initial;
- (3) Identify the country of citizenship of each inventor; and
- (4) State that the person making the oath or declaration believes the named inventor or inventors to be the original and first inventor or inventors of the subject matter which is claimed and for which a patent is sought.
- (b) In addition to meeting the requirements of paragraph (a) of this section, the oath or declaration must also:
- (1) Identify the application to which it is directed;
- (2) State that the person making the oath or declaration has reviewed and understands the contents of the application, including the claims, as amended by any amendment specifically referred to in the oath or declaration; and
- (3) State that the person making the oath or declaration acknowledges the duty to disclose to the Office all information known to the person to be material to patentability as defined in § 1.56.
- (c) Unless such information is supplied on an application data sheet in accordance with § 1.76, the oath or declaration must also identify:
- (1) The mailing address, and the residence if an inventor lives at a location which is different from where the inventor customarily receives mail, of each inventor; and
- (2) Any foreign application for patent (or inventor's certificate) for which a claim for priority is made pursuant to § 1.55, and any foreign application having a filing date before that of the application on which priority is claimed, by specifying the application number, country, day, month, and year of its filing.
- (d)(1) A newly executed oath or declaration is not required under § 1.51(b)(2) and § 1.53(f) in a continuation or divisional application, provided that:
- (i) The prior nonprovisional application contained an oath or declaration as prescribed by paragraphs (a) through (c) of this section;
- (ii) The continuation or divisional application was filed by all or by fewer than all of the inventors named in the prior application;

- (iii) The specification and drawings filed in the continuation or divisional application contain no matter that would have been new matter in the prior application; and
- (iv) A copy of the executed oath or declaration filed in the prior application, showing the signature or an indication thereon that it was signed, is submitted for the continuation or divisional application.
- (2) The copy of the executed oath or declaration submitted under this paragraph for a continuation or divisional application must be accompanied by a statement requesting the deletion of the name or names of the person or persons who are not inventors in the continuation or divisional application.
- (3) Where the executed oath or declaration of which a copy is submitted for a continuation or divisional application was originally filed in a prior application accorded status under § 1.47, the copy of the executed oath or declaration for such prior application must be accompanied by:
- (i) A copy of the decision granting a petition to accord § 1.47 status to the prior application, unless all inventors or legal representatives have filed an oath or declaration to join in an application accorded status under § 1.47 of which the continuation or divisional application claims a benefit under 35 U.S.C. 120, 121, or 365(c); and
- (ii) If one or more inventor(s) or legal representative(s) who refused to join in the prior application or could not be found or reached has subsequently joined in the prior application or another application of which the continuation or divisional application claims a benefit under 35 U.S.C. 120, 121, or 365(c), a copy of the subsequently executed oath(s) or declaration(s) filed by the inventor or legal representative to join in the application.
- (4) Where the power of attorney (or authorization of agent) or correspondence address was changed during the prosecution of the prior application, the change in power of attorney (or authorization of agent) or correspondence address must be identified in the continuation or divisional application. Otherwise, the Office may not recognize in the continuation or divisional application the change of power of attorney (or authorization of agent) or correspondence address during the prosecution of the prior application.

R-55 Jan. 21, 2004